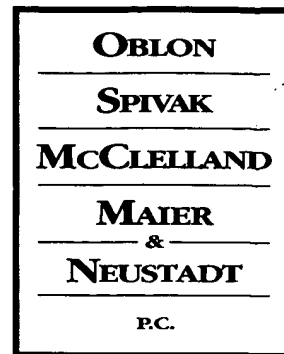




IFW

Docket No.: 260063US28DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 10/821,954

Applicants: Evelyn BOETTCHER, et al.

Filing Date: April 12, 2004

For: WAVELENGTH TUNABLE FILTER DEVICE FOR
FIBER OPTIC SYSTEMS

Group Art Unit: 2871

Examiner: CALEY, MICHAEL H.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DOCKET NO: 260063US28DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
EVELYN BOETTCHER, ET AL. : EXAMINER: CALEY, MICHAEL H.
SERIAL NO: 10/821,954 :
FILED: APRIL 12, 2004 : GROUP ART UNIT: 2871
FOR: WAVELENGTH TUNABLE FILTER :
DEVICE FOR FIBER OPTIC SYSTEMS

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Official Action dated September 9, 2004, Applicants elect without traverse Group I, Claims 13-17 and 22 drawn to a method of filtering an optical signal, classified in class 359, subclass 130 for further examination on the merits in the present application. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Therefore, examination on the merits of Claims 13-17 and 22 are believed to be in order and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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A handwritten signature in black ink, appearing to read "James J. Kulbaski".

James J. Kulbaski
Attorney of Record
Registration No. 34,648
Michael E. Monaco
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